

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION**

**Dennis A. Kaminski, Sr.,**

**Plaintiff,**

**V.**

**Cost Plus, Inc.,**

**Defendant.**

**Case No.:** 9:21-cv-3721-RMG  
**Formerly Case No. 2021CP0701855**

## NOTICE OF REMOVAL

**TO: THE UNITED STATES DISTRICT COURT:**

Defendant, Cost Plus, Inc., would respectfully show the Court in support of its Notice of Removal that:

1. The Summons and Complaint in this action were filed on October 14, 2021 in the Court of Common Pleas for Beaufort County, South Carolina. Attached for the Court as state documents is a copy of Plaintiff's Summons and Complaint. The Complaint is the first pleading served upon the Defendant in this action and service was affected on October 20, 2021. Therefore, removal is timely under 28 U.S.C. §1446(b).

2. The United States District Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. The Plaintiff is a resident and citizen of the State of South Carolina; Defendant is incorporated in the State of California and has its principal place of business in the State of California. The action has been brought by the Plaintiff against the Defendant for the alleged accident which occurred in Beaufort County, South Carolina.

3. Venue is proper in this matter in the Beaufort Division of this Court in accordance with 28 U.S.C. §1441(a).

4. Upon information and belief, the amount in controversy in this matter exceeds \$75,000.00 based on Plaintiff's pre-suit demand well in excess of the jurisdictional limit of \$75,000.

5. Defendant has filed no pleadings in this action with the Court of Common Pleas for the State of South Carolina in response to this Complaint; however, Defendant's Answer to the Plaintiff's Complaint is filed herewith contemporaneously.

6. Defendant will furnish a copy of this Notice of Removal to the Clerk of Court for Beaufort County.

Respectfully submitted,

**SWEENEY, WINGATE & BARROW, P.A.**

s/Ryan C. Holt  
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**ATTORNEYS FOR THE DEFENDANT**

Columbia, South Carolina

November 15, 2021